

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, SEPTEMBER 12, 2001
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MARIE E. MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

MICHAEL KOEHS, DEPUTY CLERK
(Attendance record on file with Clerk.)

ABSENT: NORMAN J. SNAY, CLERK

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

1. ROLL CALL.

Deputy Clerk KOEHS called roll. Clerk SNAY absent.

Supervisor BRENNAN asked the Board and audience for a moment and silence in prayer in reflection regarding the tragedy in the country yesterday.

Supervisor BRENNAN informed the Board of an accident that took place, where a women had a heart attack and expired at the scene. Macomb Township Fire Fighters arrived and performed life saving procedures and were able to bring the women back to life. The Township Board of Trustee authorized resolutions in honor of Fire Fighters, James Rogers, John Martin, Raymond Yonkowski and Christopher Zepke. Supervisor BRENNAN read the Certificate of Commendation to the Board in audience in honor of the Fire Fighters professionalism and actions in this incident.

Assistant Chief Meerschaert thanked Supervisor BRENNAN and the Board for acknowledging these Fire Fighters and their support.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA ITEMS.

Additions:

35c. Pay Certificate for the Township Hall.

36a. Request to send the Compensation/Finance Manager to the Municipal Finance Officer's Fall Training Institute.

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Tabled:

23. Authorization for Township Attorney to draft Amendment to Ordinance No.11.
Executive Session:
40. Land Acquisition

MOTION by MALBURG seconded by BUCCI to approve agenda as amended.

MOTION carried.

4. APPROVAL OF BILLS.

MOTION by MEERSCHAERT seconded by OLIVER to authorize payment of bills as submitted.

**FOR THIS MOTION: MEERSCHAERT, OLIVER, DUNN, BUCCI, MALBURG,
BRENNAN.**

OPPOSED: NONE

ABSENT: NORMAN J. SNAY

MOTION carried.

MOTION by OLIVER seconded by MEERSCHAERT to remove Clerk SNAY from roll call votes.

MOTION carried.

5. APPROVAL OF MEETING MINUTES

MOTION by DUNN seconded by MALBURG to approve minutes of August 22, 2001 as presented.

MOTION carried.

6. Public Comments (Non Agenda items only – 3 minutes time limit)

None

PLANNING COMMISSION:

7. Final Plat; Evergreen Estates; (26 lots); Located on the north side of 23 Mile Road and approximately 4000 feet east of Romeo Plank Road; Section 16; T & G Development, Petitioner. Permanent Parcel No. 08-16-400-012.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed subdivision, surrounding property and stated the recommendation of the Planning Commission to approve the plat contingent upon the fulfilling of the standard conditions and the posting of a \$1,000.00 bond regarding the location of a utility pole.

Petitioner Present: Tom Kellogg of Lehner & Associates

Public Portion: None

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MOTION by OLIVER seconded by BUCCI to grant Final Plat to Evergreen Estates Subdivision and direct the Clerk to sign the mylar contingent upon fulfilling of the standard conditions and the posting of a bond for the removal of a utility poles.

MOTION carried.

8. Request for Variance from the Land Division Ordinance No.17; Glen Eden Cemetery East; Located south of 26 Mile Road and ½ mile east of Luchtman Road; Section 4; Glen Eden Lutheran Cemetery, Petitioner. Permanent Parcel No. 08-04-200-001 and 08-04-200-003.

Bernard Lynden, Planning Consultant, reviewed the variance and stated the recommendation of the Planning Commission to approve the variance to waive the east west and north south collector roads.

Petitioner Present: Craig Duckwitz of AEW

Board discussion was held regarding the collector roads.

Public Portion: None

MOTION by DUNN seconded by OLIVER to grant the Variance to the Land Division Ordinance No. 17 as recommended by the Planning Commission to waive the east west and north south collector roads.

MOTION carried.

9. Tentative Preliminary Plat; Wingate Farms Subdivision; (53 lots); Located south of 23 Mile Road and ¼ mile east of future Heydenreich Road; Section 22; GTR Builders, Petitioner. Permanent Parcel No. 08-22-100-019.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed subdivision and surrounding property. Mr. Lynden, then stated the recommendation of the Planning Commission to approve the plat for a period of one (1) year contingent upon the fulfilling of the standard conditions and posting of a \$11,000.00 landscape bond.

Petitioner Present: Craig Duckwitz of AEW

Board discussion was held regarding the size of the parcel in question and confirming of the proposed construction road.

Public Portion: None

MOTION by OLIVER seconded by DUNN to approve the Tentative Preliminary Plat for Wingate Farms Subdivision for the period of one (1) year (expiring September 12, 2002) contingent upon the fulfilling of the conditions recommended by the Planning Commission.

MOTION carried.

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10. Rezoning Request; Residential Urban-One Family (R-1) to Multiple Family Low Density (R-2-L); Located west of Romeo Plank Road and approximately ¼ mile north of 23 Mile Road; Section 20; GTR Builders, Petitioner. Permanent Parcel No. 08-20-426-003.

Supervisor BRENNAN reviewed the request and recommended to table the matter and send it back to the Planning Commission for re-review and schedule a meeting with the petitioner, Township Attorney and himself prior to the Planning Commission meeting.

Petitioner Present: Bob Kirk

MOTION by DUNN seconded by MEERSCHAERT to table the matter and send it back to the Planning Commission for re-review and schedule a meeting with the petitioner, Township Attorney and Supervisor prior to the Planning Commission meeting.

MOTION carried.

NEW BUSINESS:

11. Request Adoption of Resolution No.1; Special Assessment District Stormwater Treatment Center; Fairways of Macomb.

Supervisor BRENNAN reviewed the request and stated a recommendation of Wednesday, September 26th, 2001.

MOTION by MEERSCHAERT seconded by OLIVER to adopt Resolution No.1 and schedule a Public Hearing for a Stormwater Treatment Center for the Fairways of Macomb Subdivision for Wednesday, September 26th, 2001 at 7:00 p.m.

The Fairway of Macomb Subdivision

RESOLUTION NO. 1

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on September 12, 2001 at 7:00 o'clock p.m., Eastern Daylight Savings Time.

PRESENT: Members	John D. Brennan, Marie Malburg, Dino F. Bucci, Jr., Janet Dunn, Kenneth Meerschaert Jr., Charles Oliver.
ABSENT: Members	Norman J. Snay

The following preamble and resolution were offered by Member MEERSCHAERT and supported by Member OLIVER.

WHEREAS, final plat approval of The Fairways of Macomb Subdivision (the "Plat") has been requested by the proprietor(s) thereof; and

WHEREAS, the County Public Works Commissioners of Macomb County (the "Commissioner") and the Macomb Township Board (the "Township") have examined the Plat and are willing to approve it on the condition that Section 192(d) of the Subdivision Control Act 1967, 1967 PA 288, (the "Act"), requiring that the proprietor(s) provide an adequate storm water detention/retention basin, is satisfied; and

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WHEREAS, the Proprietor and/or lot owners of the Plat are responsible for the maintenance and operation of the Stormwater Treatment Center for Fairways of Macomb pursuant to and in accordance with a Declaration of Easements, Covenants, and Restrictions which will be recorded with the Macomb County Register of Deeds coincident with the recording of the Plat; and

WHEREAS, in the event the Proprietor and/or lots owners refuse, fail or neglect to maintain the detention/retention basin which results in conditions threatening public health , safety or welfare, thus requiring the Township to abate such conditions; and

WHEREAS, if the Township expends funds to correct such conditions and/or to assume the cost of operating and maintaining the Stormwater Treatment Center for Fairways of Macomb, it is desirable that a Special Assessment District be established which will enable the Township to spread the cost upon all property located in such district by the imposition of a special assessment levy; and

WHEREAS, it has been proposed that the special assessment levy for each lot within the Plat be equal to the annual cost of operation and maintenance of the Stormwater Treatment Center for Fairways of Macomb multiplied by the fraction, the numerator of which is one (1) and the denominator of which is the total number of lots in the Plat; and

WHEREAS, pursuant to Sections 192a(2) and 192a(5) of the Act, proper notice must be given and a hearing held on creation of the Special Assessment District and defraying the cost of operation and maintaining the retention basin by special assessment on the property benefited thereby.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD
OF THE TOWNSHIP OF MACOMB, MACOMB COUNTY, MICHIGAN:**

1. That, subject to approval at a public meeting, the Township hereby declares a Special Assessment District pursuant to its authority granted by Section 192a of the Act and such Special Assessment District shall consist of a portion of the property contained within the Plat.

2. That the Township Board give notice of and hold a public hearing on September 26, 2001, on the creation of the Special Assessment District and objections thereto, including the defraying of the cost of operating and maintaining the Stormwater Treatment Center for Fairways of Macomb by special assessment on the property benefited thereby, shall be discussed. The operation and maintenance of the Stormwater Treatment Center for Fairways of Macomb shall include, but not be limited to, the operation and maintenance of pumps, the cutting of grass and the removal of weeds and debris.

3. That the Township Board be and hereby is authorized, empowered and directed to make, execute and deliver any and all instruments and papers and documents and to do and perform any and all acts and things which shall be or become necessary, proper, convenient or desirable to carry out, put into effect or make operative an and all matters and things authorized or permitted to be done in the hereinabove resolution.

AYES: Members MEERSCHAERT, OLIVER, DUNN, BUCCI, MALBURG, BRENNAN.

NAYS: Members NONE

RESOLUTION DECLARED ADOPTED.

Norman J. Snay
Macomb Township Clerk

MOTION carried.

12. Request Adoption of Proclamation in Recognition of Constitution Week.

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Supervisor BRENNAN read the Proclamation to the Board and audience in celebration of 214th Anniversary of the drafting of the Constitution of the United States of America which proclaims September 17th through September 23rd, 2001 as Constitution Week.

MOTION by DUNN seconded by MEERSCHAERT to adopt the Proclamation in Recognition of Constitution Week.

FOR THIS MOTION: DUNN, MEERSCHAERT, BUCCI, DUNN, MALBURG, BRENNAN.

OPPOSED: NONE

ABSENT: NORMAN J. SNAY

*Proclamation In Recognition of
Constitution Week*

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, Michigan held in the Township Hall in said Township on Wednesday **September 12th 2001**, the following proclamation was presented and adopted by the Board of Trustees:

Whereas, September 17th 2001 marks the two hundred fourteenth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention: and,

Whereas, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations, which will commemorate the occasion: and,

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th through 23rd 2001 as Constitution Week: and,

Whereas, The Macomb Township Board of Trustees encourages all residents of Macomb Township to join the rest of the Nation in celebration Constitution Week: and,

Whereas, The Macomb Township Board of Trustees requests all residents of the Township fly the Flag of the United States of America in celebration of Constitution Week.

Now Therefore, Speaking on behalf of all residents of Macomb Township, the Macomb Township Board of Trustees hereby proclaims,

September 17th through 23rd 2001

as

Constitution Week

in

Macomb Township.

In Support Of This Proclamation:

John D. Brennan, Supervisor
Norman J. Snay, Clerk
Janet Dunn, Trustee
Kenneth G. Meerschaert, Jr. Trustee

Marie E. Malburg, Treasurer
Dino F. Bucci, Jr., Trustee
Charles S. Oliver, Trustee

Proclamation Declared Adopted.

I therefore set my hand and affix the seal of the Township of Macomb, County of Macomb, Michigan on this the 12th day of September 2001.

*Norman J. Snay, Clerk
Township of Macomb*

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13. Request Adoption of Resolution Honoring Eagle Scout Brian Hinz.

Supervisor BRENNAN reviewed the request.

MOTION by DUNN seconded by MALBURG to adopt the Resolution Honoring Eagle Scout Brian Hinz.

FOR THIS MOTION: DUNN, MALBURG, BUCCI, MEERSCHAERT, OLIVER, BRENNAN.

OPPOSED: NONE

ABSENT: NORMAN J. SNAY

MOTION carried.

Resolution Honoring Eagle Scout
Brian Andrew Hinz

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, Michigan held in the Township Hall in said Township on Wednesday September 12th 2001 at 7:00 P.M., the following preamble and resolution were offered by member DUNN and supported by member MALBURG.

Whereas, Brian Hinz started his scouting career in October 1992 with Cub Scout Pack 124 Tinton Falls New Jersey and later with Pack 816 in Chula Vista, California. As a Cub Scout Brian earned the rank of Bobcat, Wolf, Bear, Webelos and earned thirteen Activity Pins: and,

Whereas, Brian Hinz furthered his scouting career with Boy Scout Troop 1194 Chula Vista, California and Troop 248 Clinton Township, Michigan, and earned Tenderfoot, Second Class, First Class, Star, Life and Eagle: and,

Whereas, Brian Hinz distinguished himself by serving as Troop Scribe, Assistant Patrol Leader, Patrol Leader, Senior Patrol Leader, Troop Guide and has attended numerous camp outings and activities with the Boy Scouts and has earned thirty-five Merit Badges: and,

Whereas, Brian Hinz by his own actions and high moral standards has made himself a role model to other scouts and peers.

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Trustees recognizes the dedication, commitment and personal sacrifices Brian Hinz has made to obtain the rank of Eagle Scout.

Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Brian Hinz on his elevation to Eagle Scout and further extends its best wishes to Brian in his future endeavors.

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,

Friday September 14th 2001

Brian Andrew Hinz Day

In

Macomb Township

**For This Resolution: Supervisor John Brennan, Clerk Norman Snay, Treasurer Marie Malburg,
Trustees: Janet Dunn, Kenneth Meerschaert, Jr., Dino Bucci, Jr.,
Charles Oliver.**

**Norman J. Snay, Clerk
Township of Macomb**

14. Request to Attend 2001 Planning Conference.

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Supervisor BRENNAN stated his recommendation to table the matter.

MOTION by MEERSCHART seconded by OLIVER to table the matter to the meeting of September 26th, 2001.

MOTON carried.

15. Request for Temporary Sanitary Sewer Diversion; Sycamore Estates Subdivision, Polarity Development, LLC, Petitioner.

Supervisor BRENNAN reviewed the request and the recommendations submitted by the Water/Sewer Department and Township Engineer's to deny the request.

Petitioner Present: Kenneth Robinson of Polarity Development

Jim VanTiflin of Spalding DeDecker reviewed the history of the development of the project and stated his recommendation to deny the temporary diversion and proceed with a sanitary sewer diversion study.

Public Portion: None

MOTION by BUCCI seconded by OLIVER to authorize the Township Engineering firm of Spalding DeDecker to proceed with the Sanitary Sewer Diversion study for Sycamore Estates Subdivision; Section 22; contingent upon the posting of the required four thousand dollar deposit.

MOTION carried.

16. Contract Change Order No.2; Lynnhurst and Harrellson Paving Project, MA 00-25.

Supervisor BRENNAN reviewed Change Order No.2 and stated the reasons being that the majority of the extra work was for drainage related items such as additional driveway culverts which were removed and reset along with the additional ditching and restoration required.

Board discussion was held regarding the completion of the project and funds budgeted.

Public Portion: None

MOTION by DUNN seconded by OLIVER to approve Contract Change Order No.2; Lynnhurst and Harrellson Paving Project; MA 00-25 for the total amount of thirty eight thousand one hundred eighty four dollars and 30/100 (\$38,184.30).

FOR THIS MOTION: DUNN, OLIVER, MEERSCHART, BUCCI, MALBURG, BRENNAN.

OPPOSED: NONE

ABSENT: NORMAN J. SNAY

MOTION carried.

Supervisor BRENNAN stated that a transfer of funds would be required and reviewed the transfer.

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Public Portion: None

MOTION by DUNN seconded by OLIVER to authorize the transfer of funds in the amount of thirty eight thousand one hundred eighty four dollars and 30/100 (\$38,184.30) from Sewer Projects and transfer to MA-0025; Lynnhurst and Harrellson Paving Project contingent upon the Counties approval of the transfer between projects.

FOR THIS MOTION: DUNN, OLIVER, BUCCI, MALBURG, MEERSCHAERT, BRENNAN.

OPPOSED: NONE

ASSENT: NORMAN J. SNAY

MOTION carried.

17. Authorization for Spalding DeDecker & Associates to provide estimate and design for Card Road Sanitary Sewer Extension.

Supervisor BRENNAN reviewed the request.

Mr. Robinson of Trinity Management, Inc. inquired about the condemnation procedure.

MOTION by DUNN seconded by MALBURG to authorize the Township Engineering firm of Spalding DeDecker & Associates to proceed with the Card Road Sanitary Sewer Extension estimate and design contingent upon posting of the required bond in the amount of four thousand dollars 00/100 (\$4,000.00).

MOTION carried.

Supervisor BRENNAN stated that the developer of this project have been unable to acquire the easement and condemnation procedures may be necessary.

Public discussion was held regarding attempts in acquiring the easement.

Supervisor BRENNAN reviewed the condemnation procedure.

MOTION by MALBURG seconded by BUCCI to authorize the Township Attorney to move forward with condemnation to acquire easements if unsuccessful in obtaining easements through negotiations.

MOTION carried.

18. Request for Model Permits; Unit 1, Averhill Parc Condominiums; Averhill Development Company, LLC, Petitioner.

Supervisor BRENNAN reviewed the request and stated the recommendation of Township Departments to deny the request.

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Petitioner Present: Franco Mancini of Averhill Development Company, LLC

Board discussion was held regarding Chief Ahonen's recommendations.

Larry Dloski, Township Attorney reviewed the requirements for a variance.

Jim VanTiflin of Spalding DeDecker stated that engineering has not been completed for the site and cannot recommend approval.

Public Portion: None

MOTION by OLIVER seconded by MEERSCHART to deny the request.

MOTION carried.

19. Release of Subdivision Model Permit Bond; Rockwood Subdivision Lot #13; Excel Homes, Petitioner.

Supervisor BRENNAN stated the necessary departments had reviewed the request and were recommending approval.

MOTION by MEERSCHAERT seconded by DUNN to authorize the release of the Subdivision Model Permit Bond for Lot #13; 19433 Concetta Drive located in the Rockwood Subdivision; Excel Homes, Inc. in the amount of seven thousand five hundred dollars (\$7,500.00).

MOTION carried.

20. Release of Monuments and Irons Bond; Lakeside Landings Subdivision; Resco, Inc., Petitioner.

Supervisor BRENNAN stated the necessary departments had reviewed the request and were recommending approval.

MOTION by OLIVER seconded by MALBURG to authorize the release of the Monuments and Irons Bond for Lakeside Landings Subdivision; Resco, Inc. in the amount of three thousand five hundred ten dollars and 00/100 (\$3,510.00).

MOTION carried.

21. Request to Schedule a Public Hearing Date for Special Assessment District for Street Lighting; Chelsea Park Subdivision.

Supervisor BRENNAN reviewed the request.

Deputy Clerk KOEHS stated his recommendation of Wednesday, September 26th, 2001 at 7:00 p.m.

MOTION by OLIVER seconded by BUCCI to Schedule a Public Hearing for a Special Assessment District for Street Lighting for Chelsea Park Subdivision for Wednesday, September 26th, 2001 at 7:00 p.m.

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MOTION carried.

22. Consumers Energy Easement; Emerald Green Subdivision, Lehner Associates, Inc., Petitioner.

Supervisor BRENNAN reviewed the request and the recommendations of the Water/Sewer Department, Township Engineers and Attorney.

Public Portion: None

Larry Dloski, Township Attorney, reviewed the request and agreement.

Board discussion was held regarding the responsible party for payment of fee's.

MOTION by DUNN seconded by MALBURG to accept the recommendation of the Township Attorney and approve the language of the Consumers Powers Easement Agreement.

MOTION carried.

23. Authorization for Township Attorney to draft Amendment to Ordinance No. 11.

Tabled to meeting of September 26th, 2001.

FIRE DEPARTMENT:

24. Request for Chief & Assistant Chief to attend the International Association of Fire Chief's Conference.

Kenneth Meerschaert, Assistant Fire Chief, reviewed the request to attend the "Leading the Volunteer & Combination Fire Service" Symposium.

Public Portion: None

MOTION by DUNN seconded by OLIVER to authorize the Chief Ahonen and Assistant Chief Meerschaert to attend the International Association of Fire Chief's Conference for the total estimated cost of two thousand dollars and 00/100 (\$2,000.00) plus mileage.

MOTION carried.

25. Request to purchase (8) Motorola HT1000 Portable Radios.

Kenneth Meerschaert, Assistant Fire Chief, reviewed the request to replace 20 to 22 years old units.

Board discussion was held regarding how the old replaces units will be used as backup radios.

Public Portion: None

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MOTION by OLIVER seconded by MALBURG to authorize the purchase of eight (8) Motorola HT1000 Radios from ComSource for the total cost of seven thousand two hundred eighty eight dollars and 00/100 (\$7,288.00).

MOTION carried.

26. Request to purchase (15) Minitor III Stored Voice Pagers.

Kenneth Meerschaert, Assistant Fire Chief, reviewed the request.

Public Portion: None

MOTION by OLIVER seconded by DUNN to authorize the purchase of fifteen (15) Minitor III Stored Voice Pagers for the total cost of four thousand ninety two dollars and 15/100 (\$4,092.15).

MOTION carried.

PARKS AND RECREATION DEPARTMENT:

27. Request to Consider a Partnership and Sponsorship Policies.

Martin Piepenbrok, Parks and Recreation Director, reviewed the request and asked the Board to review submitted information to be discussed at a later date.

Public Portion: None

Informational Only

28. Request to Award Project to Conduct Recreation Needs Assessment Study.

Martin Piepenbrok, Parks and Recreation Director, reviewed the request and stated that funding for the study will be provided through the Community Development Block Grant (CDBG) Funds and the Parks & Recreation Budget. Mr. Piepenbrok also stated his recommendation to award the bid to GreenPlay.

Board discussion was held regarding quotes submitted and what is included in the price.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to accept the recommendation of the Parks and Recreation Director and award the Recreation Needs Assessment Study to GreenPlay, LLC, of Bloomfield, CO, for the total cost of thirty four thousand seven hundred fifty dollars and 00/100 (\$34,750.00).

MOTION carried.

29. Request to Attend Athletic Business Conference.

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Martin Piepenbrok, Parks and Recreation Director, reviewed the request and stated attendees are provided with the latest information on building, managing, operating and marketing their facilities and programs.

Public Portion: None

MOTION by OLIVER seconded by DUNN to approve the attendance of Martin Piepenbrok, Parks and Recreation Director to attend the Athletic Business Conference being held in Orlando Florida, for the estimated cost of one thousand three hundred seventy five dollars and 00/100 (\$1,375.00).

MOTION carried.

WATER/SEWER DEPARTMENT:

30. Easement Encroachment Agreement; Gregory & Cynthia A. O'Brien-Blondell, 53415 Azalea Drive, Macomb, MI 48042, Lot 88, Villa Rosa Subdivision II.

Supervisor BRENNAN stated this was an agreement for a pool and that David Koss, Water/Sewer Superintendent was recommending approval.

MOTION by MEERSCHAERT seconded by MALBURTG to grant and execute the Easement Encroachment Agreement for Lot #88; 53415 Azalea Drive within the Villa Rosa Subdivision II.

MOTION carried.

31. Approval of Pay Certificate No.2, Heydenreich Road Sanitary Sewer Replacement, Dan's Excavating, Inc., MA 01-07.

Supervisor BRENNAN reviewed the request and stated that the Water/Sewer Department and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to authorize the payment of Pay Certificate No.2; Heydenreich Road Sanitary Sewer Replacement; Dan's Excavating, Inc.; MA 01-07 in the amount of twelve thousand seven hundred twenty three dollars and 05/100 (\$12, 723.05).

MOTION carried.

32. Approval of Pay Certificate No.2, 23 Mile Road Sanitary Sewer Phase I, Dan's Excavating, Inc., MA 00-31.

Supervisor BRENNAN reviewed the request and stated that the Water/Sewer Department and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment.

Public Portion: None

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MOTON by MALBURG seconded by BUCCI to authorize the payment of Pay Certificate No.2; 23 Mile Road Sanitary Sewer Phase I; Dan's Excavating, Inc.,; MA 00-31 in the amount of eleven thousand three hundred seventy one dollars and 90/100 (\$11,371.90).

MOTION carried.

33. Request Reimbursement for Sanitary Sewer Project.

Supervisor BRENNAN reviewed the request and stated the request has been reviewed by the Water/Sewer Department and Spalding DeDecker who were recommending approval.

Jim VanTiflin of Spalding DeDecker stated the request is for reimbursement for tunneling of major roads and drains which is Township policy.

Public Portion: None

MOTION by OLIVER seconded by DUNN to approve the reimbursement of eighty eight thousand three hundred eighty five dollars and 00/100 (\$88,385.00) to the Boutrous Companies for the installation of the Card/21 Shoppes 36" Sanitary Sewer Main.

MOTION carried.

34. Approval of Purchase Requisition:
a. SLC Meter Service

Supervisor BRENNAN reviewed the request and stated the recommendation of David Koss, Water/Sewer Superintendents, to approve the purchase requisition.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to authorize the payment of the purchase requisition to SLC Meter Service for the total amount of one hundred twenty nine thousand fifty nine dollars and 30/100 (\$129,059.30).

MOTION carried.

BOARD COMMENTS:

35. Supervisor's Comments
a. Auditors Engagement Letter

Supervisor BRENNAN reviewed the request and stated a single audit for Federal money the Township had received for the park on 21 Mile Road was necessary to ensure funds were spent properly.

MOTION by MEERSCHAERT seconded by OLIVER to approve the Auditors Engagement Agreement.

MOTION carried.

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b. Road Paving Agreements

Supervisor BRENNAN reviewed the request and asked the board to re-ratify the phone poll which were approved in budget hearings prior for the paving of Card Road from 21 to 23 Mile Road and the paving of 25 ½ mile and Garfield south of 25 Mile Road. Supervisor BRENNAN reviewed the estimate submitted and stated the contribution of the Township is 60% and the County 40% with the Township's balance remaining after subtracting federal monies received would equal two million seventy three thousand dollars (\$2,073,000.00).

MOTION by MEERSCHAERT seconded by DUNN ratification of motion of phone poll to approve the request for the paving of Card Road from 21 Mile to 23 Mile Road and the paving of 25 ½ Mile and Garfield south of 25 Mile Road.

FOR THIS MOTION: MEERSCHAERT, DUNN, BUCCI, OLIVER, MALBURG, BRENNAN.

OPPOSED: NONE

ABSENT: NORMAN J. SNAY

MOTION carried.

Supervisor BRENNAN reviewed the request for the paving of 1 mile of 25 Mile Road from Hayes to Romeo Plank and the paving of Garfield Road from approximately 24 ½ to 25 Mile Road. Supervisor BRENNAN stated that the Township's portion of the project, a 60% portion, would be approximately 1 million one hundred thousand dollars (\$1, 100,000.00).

MOTION by DUNN seconded by OLIVER to approve the request for the paving of 1 mile of 25 Mile Road from Hayes to Romeo Plank Road and the paving of Garfield Road from approximately 24 ½ to 25 Mile Road.

FOR THIS MOTION: DUNN, OLIVER, MALBURG, MEERSCHAERT, BUCCI, BRENNAN.

OPPOSED: NONE

ABSENT: NORMAN J. SNAY

MOTION carried.

35c. Pay Certificate for the Township Hall.

Supervisor BRENNAN stated that the Pay Certificate/Town Hall had been reviewed by the project Architect and Contractor and were recommending approval.

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the Pay Certificate for the Township Hall in the amount of three hundred twenty thousand seven hundred twenty two dollars and 00/100 (\$320,722.00).

MOTION carried.

36. Clerk's Comments

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, SEPTEMBER 12, 2001
AT 7:00 P.M.

- a. Request to send the Compensation/Finance Manager to the Municipal Finance Officer's Fall Training Institute.

Deputy Clerk KOEHS reviewed the request.

Public Portion: None

MOTION by DUNN seconded by OLIVER to approve the request for the Compensation /Finance Manager, Nancy Eckman, to attend the Municipal Finance Officer's Fall Training Institute for the total cost of three hundred eighty dollars and 35/100 (\$380.35) plus meals and mileage.

MOTION carried.

Deputy KOEHS stated that the Township had a 9.8% turnout at the Special Election of September 11, 2001.

37. Treasurer's Comments

None

38. Trustee's Comments

Trustee OLIVER complemented the Fire Department for there professionalism and quick response to a family emergency during the Labor Day Weekend.

MOTION by MEERSCHAERT seconded by MALBURG to adjourn into Executive Session at: 8:28 p.m.

MOTION carried.

Returned from Executive Session at 8:52 p.m.

EXECUTIVE SESSION:

39. Grand Sakwa v Macomb Township (Tabled from the meeting of August 22, 2001).

Informational Only

40. Land Acquisition (Tabled from the meeting of August 22, 2001).

Tabled to the meeting of September 26, 2001.

41. Hope Network Southeast, Inc. v Macomb Township

Informational Only

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, SEPTEMBER 12, 2001
AT 7:00 P.M.

ADJOURNMENT

MOTION by MEERSCHAERT seconded by DUNN to adjourn the meeting at 8:54 P.M.

MOTION carried.

John D. Brennan, Supervisor

Norm J. Snay, Clerk

Eva M. Mayer, Recording Secretary

EMM